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Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 23rd September, 1977/Asvina 1, 1899 (Saka)

THE ENEMY PROPERTY (AMENDMENT) ORDINANCE,
1977
No. 11 OF 1977

Promulgated by the Vice-President discharging the functions of the President in the Twenty-eighth Year of the Republic of India.

An Ordinance to amend the Enemy Property Act, 1968.

WHEREAS Parliament is not in session and the Vice-President discharging the functions of the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution the Vice-President discharging the functions of the President is pleased to promulgate the following Ordinance:—

1. (1) This Ordinance may be called the Enemy Property (Amendment) Ordinance, 1977.

(2) It shall come into force on the 27th September, 1977

2. During the period of operation of this Ordinance, the Enemy Property Act, 1968 (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 11

3 In the long title of the principal Act, after the words and figures "Defence of India Rules, 1962", the words and figures "and the Defence of India Rules, 1971" shall be inserted.

Short title
and com-
mence-
ment.

Act 34 of
1968 to
be tem-
porarily
amended.

Amend-
ment of
long title

Amend-
ment of sec-
tion 2 4. In clause (b) of section 2 of the principal Act, after the words and figures "Defence of India Rules, 1962", the words and figures "or the Defence of India Act 1971 and the Defence of India Rules, 1971" shall be inserted.

Amend-
ment of sec-
tion 3 5. In the proviso to section 3 of the principal Act, after the words and figures "Defence of India Rules 1962", the words and figures "or the Defence of India Rules, 1971, as the case may be," shall be inserted

Amend-
ment of sec-
tion 4 6 In the proviso to section 4 of the principal Act, after the words and figures "Defence of India Rules, 1962," the words and figures "or the Defence of India Rules, 1971, as the case may be," shall be inserted.

Amend-
ment of sec-
tion 5 7 Section 5 of the principal Act shall be renumbered as sub-section (1) thereof and after that sub-section as so renumbered, the following sub-section shall be inserted, namely—

"(2) Notwithstanding the expiration of the Defence of India Act, 1971 and the Defence of India Rules, 1971, all enemy property vested before such expiration in the Custodian of Enemy Property for India appointed under the said Rules and continuing to vest in him immediately before the commencement of the Enemy Property (Amendment) Ordinance, 1977 shall, as from such commencement, vest in the Custodian."

Amend-
ment of sec-
tion 7 8 In section 7 of the principal Act, after the words and figures "Defence of India Rules, 1962", wherever they occur, the words and figures "or the Defence of India Rules, 1971, as the case may be," shall be inserted

Amend-
ment of sec-
tion 8 9. In sub-section (2) of section 8 of the principal Act, in clause (x), after the figures, letters and word "25th October 1962", the words, figures and letters "or on the 3rd December 1971" shall be inserted.

Amend-
ment of sec-
tion 23 10 In sub-section (3) of section 23 of the principal Act, for the words "or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following", the words "or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted

Amend-
ment of sec-
tion 24. 11 Section 24 of the principal Act shall be renumbered as sub-section (1) thereof and after that sub-section as so renumbered, the following sub-section shall be inserted, namely—

"(2) Every order which was made under the Defence of India Rules, 1971 by the Central Government or by the Custodian of Enemy Property for India appointed under those Rules relating to enemy property and which was in force immediately before the expiration thereof shall, in so far as such order is not inconsistent with the provisions of this Act, be deemed to continue in force and to have been made under this Act"

B. D. JATTI,
Vice-President,
discharging the functions of the President

K. K. SUNDARAM,
Secy. to the Govt of India.